



DEPARTMENT OF THE ARMY  
HEADQUARTERS, AREA II SUPPORT ACTIVITY  
UNIT #15333  
APO AP 96205-5333

REPLY TO  
ATTENTION OF:

IMKO-AB-PL-LO

15 July 2005

COMMAND POLICY # 5-3

MEMORANDUM FOR Area II Provost Marshal Office

SUBJECT: Issuance of Driving Suspension Privileges Letters (DUI)

1. Reference: USFK Regulation 190-1, Motor Vehicle Traffic Supervision, 27 April 2005
2. Purpose: To establish procedures for issuance of suspension letters to personnel suspected of driving under the influence of intoxicating alcohol or drugs (DUI).
3. Applicability: This memorandum applies to all Area II Law Enforcement Personnel.
4. General: The following steps will be accomplished when a suspected individual is issued a Driving Suspension Privileges letter.
  - a. Military Police Desk Sergeant Responsibilities:
    - (1) Ensure all necessary forms are completed correctly.
    - (2) Ensure the letter is returned with all supporting documents to the MP Station.
    - (3) Issue the letter to the subject in front of his/her Chain of Command, (E-7 or above/ one grade higher than subject), and annotate this on the DD FM 2408 in the remarks column. Civilians will be issued the letter prior to being released.
    - (4) Annotate issuance of a suspension letter in the Action Column of the blotter.
    - (5) The copy of the suspension letter is attached to the case. Follow-up revocation action will be administered by the Area II Law and Order Office after the case has been adjudicated.
    - (6) Both USFK Form 134EK (USFK Motor Vehicle Operator's Permit) and OF 346 (U.S. Government Motor Vehicle Operator's Identification Card) driver's licenses are confiscated from the subject. Both driver's licenses will then will be turned over to the Area II Law & Order Office.

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(7) Ensure the Area II Vehicle Registration Office (VRO)/Pass And ID Office is notified of the suspension information.

b. The Area II VRO/Pass And ID Office will:

(1) Input the suspension information into the Biometric Identification System (BIDS).

(2) Ensure the Area II Driver's Testing Office is notified of the suspension information.

c. The Area II Driver's Testing Office will ensure the suspension information is inputted into their records/database as applicable.

7. When a suspension is implemented, it will be peninsula-wide, on and off post, POV and Military driving privileges. The suspension will include all installations on the peninsula and driving privileges will be reinstated only by the authority that suspended the privileges.



RONALD C. STEPHENS  
COL, SC  
Commanding

DISTRIBUTION:

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REPLY TO  
ATTENTION OF:

IMKO-AB-PL-LO

DATE \_\_\_\_\_

MEMORANDUM THRU \_\_\_\_\_

FOR \_\_\_\_\_

SUBJECT: Suspension of Driving Privileges

1. You have been cited for driving under the influence of intoxicating liquor or drugs, or for wrongfully refusing to submit to a blood alcohol content determination. Under the provisions of United States Forces Korea Regulation 190-1, Motor Vehicle Traffic Supervision dated 27 April 2005, para 11(b)(2), all on and off post driving privileges are immediately suspended, to include your Privately Owned Vehicle (POV) and Military driving privileges. Your USFK Form 134 EK (USFK Motor Vehicle Operator's Permit), and your OF 346 (U.S. Government Motor Vehicle Operator's Identification Card) are confiscated.

2. To have your driving privileges temporarily reinstated, in whole or in part, you may request an administrative hearing. You must request this hearing, if desired, within 10 days of receipt of this memorandum. The request will be in writing to the Commander, Area II and delivered to the Law and Order Office, Area II, Building 4305, Room 105, South Post, Yongsan Garrison. The Revocation Authority will make a determination whether to revoke or reinstate your driving privileges based on the available evidence. An administrative hearing, if requested, will cover only pertinent matters including whether:

a. The detaining law enforcement official had reasonable grounds to believe you were driving or in control of a motor vehicle while under the influence of intoxicating liquor or drugs.

b. You were lawfully requested to submit to a blood alcohol content test and were informed of the consequences of refusing to take or complete the test.

c. You refused to submit to a blood alcohol content test, submitted to the test and the result was 0.05 percent or higher blood alcohol content, the result indicated the presence of other drugs or the result indicated a violation of ROK law for an off-post apprehension.

d. The testing methods were valid and reliable and the results accurately evaluated.

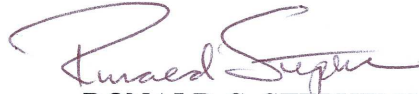
4. All personnel, including military personnel, have the right to be represented by counsel at their own expense. You also have the right to present evidence and witnesses at no expense to the government. DoD civilian employees have the right to have a personal representative at the administrative hearing.

5. This suspension will become a revocation upon conviction, imposition of non-judicial punishment (for military personnel) or an administrative determination that you committed the offense of driving under the influence of intoxicating liquor or drugs or that you wrongfully refused to submit to a blood alcohol content determination.

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SUBJECT: Suspension of Driving Privileges

6. You will be notified, in writing, of the revocation. Additionally, you are warned that the revocation of your driving privileges for no less than five (5) years will be imposed if you are found driving a vehicle either on-post or off-post while your driving privileges are suspended or revoked. Any questions concerning this suspension should be directed to the Area II Law & Order Office at DSN 738-4361/4414/4603.



RONALD C. STEPHENS  
COL, SC  
Commanding  
Area II Support Activity

PRINTED NAME OF PERSON ISSUING MEMORANDUM: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

(Signature)